

SPECIAL AND REGULAR CITY COUNCIL MEETINGS OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, APRIL 21, 2009

The City Council of the City of Leon Valley, Texas, met on the 21st day of April 2009 at 5:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

SPECIAL CITY COUNCIL MEETING - 5:00 P.M.

Call to order.

Mayor Riley called the Special City Council Meeting to order at 4:59 p.m. and asked that the minutes reflect the following members of Council present: Manea, Reyna, Baldrige, and Dean.

City Manager Lambert and City Secretary Feutz were also present.

Convene into executive session in accordance with the Texas Government Code, Section 551.074, "Personnel Matters" to discuss selection of the members of the Leon Valley Economic Development Corporation - Board of Directors.

Mayor Riley announced at 4:59 p.m. that Council would convene into executive session in accordance with the Texas Government Code, Section 551.074 "Personnel Matters" to discuss selection of members of the Leon Valley Economic Development Corporation - Board of Directors for interviews.

Councilmember Nelson joined the session at 5:07 p.m.

Reconvene into open session and consider discussion and any action as appropriate from executive session.

Mayor Riley convened Council into open session at 6:30 p.m. and announced that no action would be taken at this time and that Council would be continuing their interviews on May 4, 2009 at 5:00 p.m.

Adjourn.

A motion was made by Councilmember Baldrige, seconded by Councilmember Dean to adjourn the meeting. Mayor Riley announced the Special City Council Meeting adjourned at meeting adjourned at 6:31 p.m.

SPECIAL CITY COUNCIL WORKSHOP MEETING - 6:15 P.M.

Call to Order.

Mayor Riley called the Special City Council Workshop Meeting to order at 6:33 p.m. and asked that the minutes reflect that all members of Council were present: Manea, Reyna, Baldrige, Dean, and Nelson.

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City Manager Lambert, City Secretary Feutz, Assistant City Secretary/HR Officer Caldera, and Police Chief Wallace were also present.

Presentation by SAWS on 50-year water management plan (W. Peche and Steve Clouse).

Mayor Riley announced that SAWS had contacted the City asking the City when they could come to explain their 50-year water management plan. She welcomed Steve Clouse, Chief Operating Officer and Senior Vice President of the San Antonio Water System (SAWS), and Billy Peche, the External Affairs Officer from SAWS.

Mr. Clouse presented an overview of the supply and demand issues faced by SAWS, the permitted supply gap, water conservation issues, and the proposed water management plan filling the permitted supply gaps to Council. He provided an overview of the history of planning and the new parameters being used to meet SAWS service area demands by using the drought of record as a base for planning purposes. Mr. Clouse outlined the successful diversification program for suppliers of water, primarily from the Edwards Aquifer, water from recycled water, the Western Canyon, local Carrizo and Trinity projects - all at an investment of over \$600 million dollars. He explained that conservation will be a primary key to successfully managing the gap in water supply and population need and he spoke to the areas being targeted in that plan. He stressed that the cheapest supply of water is the water we do not use. Mr. Clouse spoke about the current water conservation project working today and summarized changes that SAWS is making to insure that there is adequate water supplies in the future. Those changes included: planning for droughts of record, brackish water desalination, regional Carrizo supplies, Aquifer storage and recovery programs, recharge and recirculation studies, an ocean desalination study, consideration of other groundwater supplies and enhanced conservation.

Mayor Riley thanked Mr. Clouse and SAWS for the presentation and for their conservation initiatives.

Adjourn.

Mayor Riley asked if there were any other comments. Hearing no other comments, a motion was made by Councilman Reyna, seconded by Councilmember Nelson, to adjourn the meeting. Mayor Riley announced the meeting adjourned at 7:00 p.m and stated that Council would take a short three-minute break.

REGULAR CITY COUNCIL MEETING - 7:00 P.M.

Call to order and Pledge of Allegiance.

Mayor Riley called the Regular City Council Meeting to order at 7:05 p.m. and asked that the minutes reflect that all members of Council were present: Manea, Reyna, Baldrige, Dean, and Nelson.

City Manager Lambert, City Secretary Feutz, Fire Chief Irwin, Community Development Director Flores, Economic Development Director Ryan, Police Chief Wallace, Assistant Public Works

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Director Stolz, Assistant City Secretary/HR Officer, Assistant City Secretary/HR Officer Caldera, and City Attorney McKamie were also present.

Mayor Riley welcomed students in attendance from Northwest Vista College and asked student Randy Sherwood to lead the group in the Pledge of Allegiance.

Proclamation for “Be Kind to Animals Week”- May 3 - 9, 2009 (Mayor Riley/Williams).

Mayor Riley welcomed Animal Control Officer Ricky Williams and proclaimed the week of May 3 - 9, 2009, as “Be Kind to Animals Week” in Leon Valley. Mr. Williams invited everyone to the Pet Parade to be held on Saturday, May 2, 2009 with prizes for various animal categories and educational information about pets for the family from 10:00 a.m. - 1:00 p.m. at the Community/Conference Center green area.

Presentation of annual report by the Historical Society of Leon Valley (President D. Riley).

Mayor Riley welcomed Historical Society of Leon Valley President Darby Riley who presenting the Society's annual report for the fourth year of their ten-year lease of the natural area. Mr. Riley highlighted events of the past year: a photo contest of the area, a living history event with the San Antonio Conservation Society, Eagle Scout projects for constructing signage on the trails and replanting trees in a degraded area, cleanups with the help of various school groups, and he reported that two representatives have been journaling events of the natural area throughout the year. Mr. Riley described goals for the next twelve months including pursuing grants to fund new markers in the area and new tree signs. He also stated that the Society would promote the natural area to be a non-smoking area to prevent any fires in the area. Photos were shown of the wilderness natural area illustrating the stewardship work completed by the Society.

Proclamation for “Earth Day” - April 22, 2009 (Mayor Riley).

Mayor Riley proclaimed April 22, 2009 as “Earth Day” in Leon Valley and encouraged everyone to be good stewards of the community by: conserving resources, using mass transit, recycling, implementing low water landscaping, and developing rainwater catchment systems. She reported on the press conference which Council held, on Monday, April 21, 2009, to encourage the use of reusable shopping bags and to promote “Earth Day.” Mayor Riley stated that reusable bags were given to the City's employees with the help of Councilmembers Nelson and Reyna.

Citizens to be heard and time for objections to the Consent Agenda.

Mayor Riley announced that the minutes for the Special City Council Workshop Meeting of April 17, 2009 would not be considered with this agenda. She then asked Councilmembers if they wished for anything on the Consent Agenda to be removed for further discussion. Hearing no requests, Mayor Riley then asked if anyone in the audience wished to address the Council.

Seeing no one come forward for the “Citizens to be heard” portion of the meeting, Mayor Riley asked for a motion to approve the following Consent Agenda items:

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Consent Agenda

Consider action to approve minutes of the Regular City Council Meeting of April 7, 2009(Feutz).

Consider M&C # 04-13-09 with attached ordinance -approval of budget adjustments for the General Fund and Debt Service to accurately record the Refunding Bonds and PPFCO issues to purchase the fire tuck (Lambert).

A motion was made by Councilman Reyna, seconded by Councilmember Baldridge, to approve the full Consent Agenda, as listed above. Upon vote, Mayor Riley announced that the motion carried and that Consent Agenda items were approved.

Action Agenda

Consider action on M&C # 04-14-09 - a request by the Historical Society of Leon Valley to waive all fees for use of the Community Center on May 14, 2009 for a two-hour meeting. This facility would be used as a backup plan in case bad weather occurs for a planned outdoor meeting at the Homestead (HSLV President D. Riley/Ryan).

Economic Development Director Ryan addressed Council informing them that the Leon Valley Historical Society has a fundraiser event scheduled for May 14, 2009 from 5:30 p.m. - 7:30 p.m. at the Huebner Onion Homestead. She stated that in case of inclement weather, the Society has requested to use the Community Center as a backup plan for two hours, at an out of pocket cost to the City of \$204.00. She noted that since the event is to be held on weekday less than three weeks away and on a date that the Center is not rented; that it is unlikely that allowing the Historical Society to use the facility would displace another renter. She noted that the City would have intrinsic benefits from waiving the fees in the form of building tourism, City exposure, and potential economic development. In closing, she reminded Council that the fees would be waived only in case of inclement weather for this date.

A motion was made by Councilmember Dean, seconded by Councilman Reyna, to approve waiving fees for use of the Community Center by the Historical Society of Leon Valley as presented. Upon vote, Mayor Riley announced the motion carried.

Reconsider action on M&C # 04-09-09 - a request by Greenblum Investment Partners II, LLC, property owner, for variances to Chapter 3, "Signs," Section 3.04.011 (c), "Freestanding signs," to allow the use of an existing 72-foot sign pole with a new sign face and cabinets in the 6800 block of Bandera Road. This case was originally heard by City Council on April 7, 2009 and action was postponed by Council to the April 21, 2009 Regular City Council Meeting (Flores).

Mayor Riley announced that she had received a phone call from the applicant asking for a postponement of their case to a date unspecified. She read the agenda caption aloud. Community Development Director Flores addressed Council stating that the applicant sent his apologies and that Mr. Eisenberg had told her that his company was weighing alternatives to their original variance request and needed additional time.

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Following a short discussion with the City Attorney, Council took no action on this agenda item and Mayor Riley announced that the Council would move to the next agenda item without any objections from Council.

Consider action on M&C # 4-15-09 - a request to authorize the City Manager to submit the 2009 Texas Parks and Wildlife Department's Trail Grant for hike and bike trail construction (total cost - \$ 76,793) with the City's match estimated to be \$15,359 (Park Commissioner Uvietta).

Park Commissioner Uvietta addressed Council explaining that proposed application was for a grant that would fund extensions of existing trails from Forest Meadow to Forest Ridge, from Evening Sun to the Evers/Seneca Road, and would add a connecting trail along the drainage way from Red Jacket Drive to link with the Leon Valley Natural Area Park Trail. He stated that the trail construction would provide an eco-friendly pavement surface, which allows those physically challenged to access the trail and its amenities. Mr. Uvietta noted that the grant would allow the City to add 2,374 feet of trail to the system. Mr. Uvietta stated that the local share from Leon Valley for this grant would be \$15,918 toward the total project cost of \$79,593, based on contracting estimates. He showed slides of the areas for the proposed trail extensions.

A motion was made by Councilman Manea, seconded by Councilmember Dean, to approve the request to authorize the City Manager to submit the 2009 Texas Parks and Wildlife Department's trail Grant for proposed hike and bike trail extensions, as presented. Upon vote, Mayor Riley announced the motion carried. Mayor Riley and City Council thanked Mr. Uvietta for his work on this grant application.

Consider M&C # 04-16-09 - a request to award a contract for installation of flooring for the Conference Center and to authorize staff to execute such contract (Ryan).

Economic Development Director Ryan addressed Council stating that proposals were solicited to replace the 10-year old Conference Center flooring. She reminded Council that the flooring budget was for \$20,000 for this fiscal year. She stated that seven vendors were contacted, with two being HUB vendors for best value proposals. Ms. Ryan explained and demonstrated the three types of flooring surface proposals were requested - vinyl composition tile, PVC composition tile, and floor stain. Ms. Ryan explained that life cycle costs were considered which considered the cost, warranty, expected life of the flooring and cost maintenance. She noted that alternatives were proposed by some vendors for 18" X 18" ceramic tiles and for Enviroplank Terrazo. She explained that the Enviroplank Terrazo product uses recycled glass in terrazzo tile planks carrying a 40-year life expectancy and with very low maintenance costs, but which had higher initial construction costs of \$123,898. She noted that six of the seven bidders recommended against the vinyl composition tile. Ms. Ryan noted that a "stampcrete/staining" product has a ten-year expected life and has an installation cost of approximately \$10,000 from one vendor.

Representatives from one company, God's View, who only bid on the stain/stampcrete product, stated that the maintenance for their product was minimal and noted that the product did require some wax to be applied which would add additional protection to the floor. They also stated that that cleaning was with water.

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Following Council discussion, a motion was made by Councilman Reyna, seconded by Councilmember Dean, to postpone any action on the flooring replacement request to allow vendors for the stain with stampcrete and tile products to make presentations before Council at the May 19, 2009 Council meeting. Upon vote, Mayor Riley stated that the motion carried and announced that Council would consider action on this flooring project at the May 19, 2009 Council meeting.

Consider action on M&C # 04-17-09 with attached ordinance - a request to amend the City's Code of Ordinances, Chapter 10, "Subdivision Regulations," Section 10.02.251, "Applicable Standards and Specifications," Subsection (9), "Requirements for Parkland Dedication of Payment in Lieu Thereof," Part (D) "Dedicated Funds; Transfer of Funds; Right of Refund." (Flores).

Community Development Director Flores addressed Council asking Council to consider amending Subdivision Code regulations regarding the requirements for parkland dedication or payment in lieu of actually dedicating land as parkland. Ms. Flores explained that the amendments will simplify current code language, clarify the dedication, and allow dedicated funds to be easily used. She stated that the Park Commission had reviewed the proposed code revisions and had no objections.

A motion was made by Councilmember Dean, seconded by Councilmember Baldrige, to approve the amendments the City's Code of Ordinances, Chapter 10, "Subdivision Regulations" for parkland dedication and payment in lieu of, as proposed. Upon vote, Mayor Riley announced the motion carried.

Consider action on M&C # 04-18-09 with attached resolution - a request to approve a new vision statement for the City as recommended during the April 17, 2009 Special City Council Meeting (Lambert).

City Manager Lambert reminded everyone that at the Special City Council Meeting of April 17, 2009, the current vision statement was updated to make the vision statement consistent with the City's new mission statement.

The proposed resolution contained the following new vision statement:

Vision Statement

The City of Leon Valley will be a sustainable community by balancing Social Equity, Economic Development and Environmental Stewardship (S.E.E.).

Social Equity

The City will promote a superior quality of life by responding to citizens in a fair and prompt manner, by providing outstanding public safety services, high quality educational, recreational, historical and cultural amenities and superb infrastructure. The City will encourage collaborative participation by its residents, businesses and stakeholders.

Economic Development

The City will provide a diverse and versatile business environment that supports a

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healthy economy. The city will exhibit a distinctive and welcoming identity at its boundaries and throughout the community. The City will attract, expand and retain viable businesses to promote development and redevelopment, including a town-centered design, pedestrian friendly connections and world class public transit.

Environmental Stewardship

The City will become carbon-neutral by conserving and preserving natural resources and by expanding recycling initiatives and enhancing our environment with earth-friendly practices.

Mayor Riley thanked Councilman Reyna for helping develop the wording and she thanked everyone who participated in the workshop - citizens, staff and Council.

Following a short discussion, a motion was made by Councilmember Nelson, seconded by Councilmember Dean, to approve the proposed Resolution with the new vision statement. Upon vote, Mayor Riley announced the new vision statement was approved.

Consider action on M&C # 04-19-09 - a request to approve a letter of support to the Texas Department of Transportation for the conversion of one lane of Huebner Road at Bandera to a shared left/thru lane along with the changing traffic signals to a split phased signal operations, and providing additional lane striping (Chief Wallace).

Police Chief Wallace reminded Council that following a request by a resident to have TxDOT consider turn lane changes at the intersection of Huebner and Bandera Road, TxDOT gave a presentation to Council on the subject. Chief Wallace stated that 54 accidents were recorded in the calendar year of 2008 at that intersection, and he stated that the additional striping on the street and the split phased signal operations will improve congestion at this intersection.

A motion was made by Councilmember Dean, seconded by Councilman Reyna, to approve the letter of support for TxDOT to move ahead with the conversion of one lane of Huebner Road at Bandera Road to a shared left turn/thru lane along with changing traffic signals to a split phased signal and providing additional lane striping. Upon vote, Mayor Riley announced the motion carried.

Consider action on Resolution to establish the "Leon Valley Tree Challenge" program - tree planting initiative, to provide guidelines for community efforts to increase the number of trees planted in the City, and to recognize participants in this program (Lambert).

City Manager Lambert asked Council to consider approving the Resolution to formally establish the "Leon Valley Tree Challenge", one of the recommendations from the SDAT. He announced the name of the program would be "The Leon Valley Tree Challenge" and for the program to be in place for Arbor Day. He noted that it would irresponsible to only plant trees, but the requirement for the tree planter to also maintain and water the tree for two years would result in a higher success rate for the program and the trees. He stated that the next step would be for Council to appoint a Tree Board to oversee and regulate the program, to set up the tree survey of heritage trees, to promote education programs, and to generally promote the tree planting in the City. Mr. Lambert reviewed other aspects of the program and noted that the trees listed

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were from the City's Zoning Code and were developed by the San Antonio Water System.

Councilman Reyna recommended that the City's website include the mission and vision statements and information on the tree challenge. He also recommended that we update the list of trees to be planted for our specific area.

A motion was made by Councilman Reyna, seconded by Councilman Manea, to approved the Leon Valley Tree Challenge program, as presented. Upon vote, Mayor Riley announced the "Leon Valley Tree Challenge" program was adopted.

Discussion Agenda

Presentation and discussion on annual water demand and supply update (Stolz).

Public Works Assistant Director Stolz presented information on the amount of water actually pumped from city wells and provided data on the estimated demand of water over the next ten years as compared with the City's current supply of water. City Manager Lambert announced that the San Antonio Water System is expected to provide a proposal to purchase the City's water system in the next few weeks.

Mr. Stolz provided statistics on the impact of drought stages I - IV and the supply of available water versus the expected demand for that supply. He reported that in 2015 the water need was estimated to be 1,735 acre feet and the City's supply would be only 1,447 acre feet. Mr. Stolz stated that he anticipated that the City will need to consider purchasing and leasing additional acre feet of water and asked for Council's guidance to proceed with making application for additional water leases thru the Regional Water Development Group. He stated that the City may wish to consider purchasing additional water acre feet in the future and he noted that water is currently selling for about \$5200 per acre feet. Mr. Stolz suggested that leasing 106 acre feet may be in the City's best interest and the funding was included in this year's budget.

Council consensus was to proceed with making application for water leases as proposed.

Discussion on proposed changes to accident responses by the Leon Valley Police Department (Chief Wallace).

Police Chief Wallace stated that over the last year, the Police Department investigated 824 accidents which involved the filing of a Texas Peace Officer's Crash Report. He advised that the Texas Transportation Code does not require the officers to investigate each accident unless there has been an injury or death of a person or property damage of at least \$1,000. Chief Wallace proposed that the Leon Valley Police Department only investigate accidents that meet the mandatory reporting threshold and that all others be handled with the blue accident form. He noted that in 2008, the number of accidents that could have been blue-formed was 251.

Councilmember Dean noted that the blue form procedure outlined by Chief Wallace was standard operating procedure in most police departments.

Council consensus was to give discretion to the Leon Valley Police Department in using the

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described blue form procedures.

City Manager Lambert estimated that use of the blue forms would save about 1000 man hours and give police officers that time back to patrol the neighborhoods.

City Manager's report (Lambert).

A. Monthly Financial Report for March 2009

City Manager Lambert provided an overview of the revenue and expenses for the month of March 2009 noting that sales tax was down as well as revenue from licenses, permits, and fees. He noted that the City Accountant was predicting a \$400,000 revenue shortfall in the FY 2010 budget with the current economic downturn. Mr. Lambert also noted that the Hotel/Motel Occupancy Tax revenue remained low, but that with the tourism season beginning, he was hopeful that those numbers would improve. He also pointed out that the Trade & Market Days report indicated higher expenses than expected.

B. El Verde by 2020 - Actions Taken

City Manager Lambert provided information to the Council updating them on actions being taken in city facilities to reduce energy consumption on a daily basis such as turning off computer monitors, turning off lights and computers when not in use.

Citizens to be heard.

None.

Announcements.

A. Report on MPO Meeting of April 15, 2009

Mayor Riley expressed her disappointment and reported that the MPO was not looking at Bandera Road as a future Bus Rapid Transit (BRT) route according to discussions at the MPO meeting of April 15, 2009. She stated that she and the City Manager argued that decision makers were using current ridership models rather than consider future riders with a BRT in place.

B. Report on Earth Day Activities - April 22, 2009

Mayor Riley stated that Earth Day activities were already reported earlier in the meeting.

C. TML Region 7 Spring Dinner Meeting - April 30, 2009

Mayor Riley reminded everyone of the next TML Region 7 meeting was scheduled for April 30, 2009 in Devine, Texas. Councilman Reyna announced that he was running for President of the Region 7 Group.

Mayor Riley also reminded everyone of the Volunteer Appreciation Dinner for April 29, 2009 and reported that she was elected to represent the Greater Bexar County Council of Cities at the Metropolitan Planning Organization.

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Adjourn.

Hearing no further business, a motion was made by Councilmember Dean, seconded by Councilmember Nelson, to adjourn the meeting. Hearing no objections, Mayor Riley announced the meeting adjourned at 9:45 p.m.

ATTEST:

Chris Riley

Mayor

Marie Feutz

City Secretary

Approved by unanimous vote of City Council at the Regular City Council Meeting of May 5, 2009